

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NIKOLLE NIKOLLAJ,

Plaintiff,

Case No. 14-13260

v.

Hon. John Corbett O'Meara

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Before the court is Magistrate Judge Charles E. Binder's report and recommendation dated June 30, 2015. Plaintiff Nikolle Nikollaj submitted objections on July 14, 2015; the Commissioner of Social Security filed a response on July 22, 2015. Plaintiff filed a reply brief on July 27, 2015.

The parties filed cross-motions for summary judgment on the administrative record in the case, which involves Plaintiff's application for Social Security disability benefits. Plaintiff received disability benefits between August 8, 2002, and November 4, 2005; this case relates to Plaintiff's alleged disability between November 4, 2005, and September 30, 2007, when his insured status expired. In a

decision dated January 8, 2013, the administrative law judge determined that Plaintiff was not disabled during the relevant time period.

The magistrate judge found that substantial evidence supports the ALJ's decision. The magistrate judge recommends that the court deny Plaintiff's motion for summary judgment and grant Defendant's motion for summary judgment. With respect to reports and recommendations from magistrate judges, this court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." Id.

The court has reviewed Plaintiff's objections in light of the complete record.<sup>1</sup> In so doing, the court agrees with Magistrate Judge Binder's assessment that the ALJ's decision is supported by substantial evidence.

Therefore, IT IS HEREBY ORDERED that Magistrate Judge Binder's June 30, 2015 report and recommendation is ADOPTED.

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment is DENIED and Defendant's motion for summary judgment is GRANTED.

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<sup>1</sup> The court also reviewed Magistrate Judge Pepe's March 5, 2009 report and recommendation in Case No. 02-73373, which remanded Plaintiff's case for further proceedings before the ALJ.

s/John Corbett O'Meara  
United States District Judge

Date: November 18, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, November 18, 2015, using the ECF system.

s/William Barkholz  
Case Manager